



## UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/042,059	10/25/2001	Gerd Gellissen	029474-5007

028977  
MORGAN, LEWIS & BOCKIUS LLP  
1701 MARKET STREET  
PHILADELPHIA, PA 19103-2921



CONFIRMATION NO. 5408

## FORMALITIES LETTER



\*OC000000007494862\*

Date Mailed: 02/19/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

04/08/2002 SDENBDB1 00000061 500310 10042059

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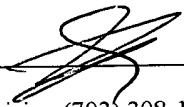
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

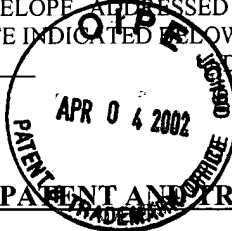
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231, ON THE DATE INDICATED BELOW:

BY:

Danyle Rater

DATE: March 25, 2002

mp \$  
Rpt Sequence



**PATENT  
BOX MISSING PARTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: Patent Application of  
Gerd Gellissen, *et al.* : Group Art Unit: 1642  
:  
Appln. No.: 10/042,059 : Examiner: Not Yet Assigned  
:  
Filed: October 25, 2001 :  
:  
Title: NUCLEIC ACID MOLECULE CONTAINING : Attorney Docket No. 29474-5007  
A NUCLEIC ACID WHICH CODES FOR A  
POLYPEPTIDE WITH CHORISMATE  
MUTASE ACTIVITY :

**TRANSMITTAL OF MISSING PARTS  
OF APPLICATION – FILING DATE GRANTED**

In response to the Notice to File Missing Parts dated February 19, 2002, the following is submitted herewith:

- ☒ [X] Copy of the Notice to File Missing Parts of Application – Filing Date Granted, mailed February 19, 2002.
- ☐ [ ] No Notice to File Missing Parts has been received.
- ☒ [X] One (1) Declaration and Power of Attorney.
- ☐ [ ] Verified English translation of application as filed.
- ☐ [ ] Priority document(s): Certified copy(ies) of \_\_\_ patent application No(s). \_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_ from which priority is claimed under 35 U.S.C. §119.
- ☐ [ ] Formal drawings: \_\_\_ sheets.
- ☐ [ ] Information Disclosure Statement, Form PTO-1449, and cited references.
- ☐ [ ] Preliminary Amendment.
- ☒ [X] Nucleotide and/or Amino Acid Sequence Submission, including:
  - ☒ [X] Computer-readable copy
  - ☒ [X] Paper Copy
  - ☒ [X] Verified Statement
- ☐ [ ] Petition for a Four (4) Month Extension of Time and requisite fee.
- ☐ [ ] Request for Refund.
- ☐ [ ] Request for Corrected Filing Receipt. Attached is a marked-up copy of the Filing Receipt showing corrections.
- ☐ [ ] Copy of previously filed Revocation and Appointment of Attorney by Assignee

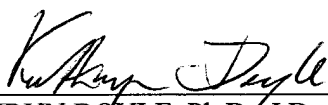
- ☐ Copy of Notice of Recordation of Assignment Document
- ☐ Notice of Change of Address
- ☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☒ The following fees noted below are being paid:
- ☒ Surcharge of **\$130.00** for late filing of filing fee and/or Declaration and Power of Attorney.
- ☐ Surcharge of **\$65.00** for late filing of English translation.
- ☐ Surcharge of **\$720.00** for a Four Month Extension of Time.
- ☐ Enclosed is our firm's check in the amount of \$\_\_\_\_\_ for the above fee.
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-0310 (billing code 29474-5007) as noted below. A duplicate copy of this authorization is being submitted herewith for accounting purposes.
- ☒ The above-calculated fee(s) totaling **\$130.00**.
- ☒ Any overpayments or deficiencies in the above-calculated fee(s).
- ☒ Any additional fees required under 37 C.F.R. §1.16 or §1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. §1.136(a) to our Deposit Account noted above.

Respectfully submitted,

**GERD GELLISSEN, ET AL.**

March 25, 2002  
Date

By:

  
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/dp

Enclosures (copy of Notice to File Missing Parts; executed Declaration; Sequence Listing (diskette and paper copy); Statement to Support Sequence Listing)